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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CANDY STEWART,

Plaintiff,

vs.

ORANGE COUNTY SOCIAL
SERVICES; JULIA SEA, Social Worker,

Defendants.

CASE NO. 12cv677 WQH WMC
ORDER

HAYES, Judge:

The matter before the Court is the Request for Appointment of Counsel. (ECF No. 8).

On March 20, 2012, Plaintiff Candy Stewart, proceeding pro se, initiated this action by filing a Complaint in this Court. (ECF No. 1). On March 23, 2012, Plaintiff filed a Request to Waive Additional Court Fees which was denied without prejudice.

On April 16, 2012, Plaintiff filed a Motion to Proceed in Forma Pauperis which was granted. On July 18, 2012, Plaintiff filed the Request for Appointment of Counsel. (ECF No. 8).

Generally, a person does not have a right to counsel in a civil case. *See Campbell v. Burt*, 141 F.3d 927, 931 (9th Cir.1998); *Ivey v. Board of Regents of the University of Alaska*, 673 F.2d 266, 269 (9th Cir.1982). A federal court does not have the authority to "make coercive appointments of counsel." *Mallard v. United States District Court*, 490 U.S. 296, 310 (1989). Pursuant to 28 U.S.C. § 1915(e)(1), "[t]he court may request an attorney to represent any person unable to afford counsel." 28 U.S.C. § 1915(e)(1). The Court has discretion in

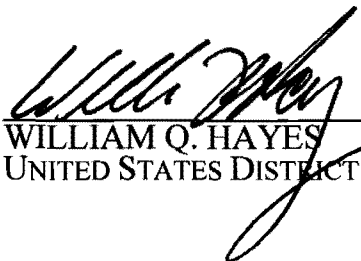
1 deciding whether to request that an attorney provide pro bono representation. *Solis v. Los*
2 *Angeles*, 514 F.3d 946, 958 (9th Cir. 2008). In exercising this discretion the Court must
3 consider a plaintiff's ability to represent herself, the complexity of the case, and the merits of
4 a plaintiff's claims. *See id.*; *Agyeman v. Corrs. Corp. of Am.*, 390 F.3d 1101, 1103-04 (9th Cir.
5 2004). "Counsel should only be appointed in exceptional circumstances" *Wood v.*
6 *Housewright*, 900 F.2d 1332, 1335 (9th Cir. 1990). "[D]ifficulties which any litigant would
7 have in proceeding pro se ... do not indicate exceptional factors." *Id.* at 1335-36.

8 Plaintiff has demonstrated in her filings that she is capable of doing legal research,
9 presenting arguments in writing, and that she has an understanding of the issues in this case.
10 The Request for Appointment of Counsel (ECF No. 8) is DENIED without prejudice.

11 IT IS SO ORDERED.

12
13 Dated: _____

7/27/12


WILLIAM Q. HAYES
UNITED STATES DISTRICT JUDGE